

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Robert Hines Staton  
8194 NC Highway 700  
Ruffin, NC 27326**

Case No. \_\_\_\_\_

Chapter 13

SS# xxx-xx-9453

SS# \_\_\_\_\_

Debtor(s)

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on April 21, 2015 .

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

## CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

**I. Plan Payments**

The plan proposes a payment of **\$1046.00** per month for a period of **40** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

**II. Administrative Costs****1. Attorney fees.**

- ☒ The attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received \$ **0.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

**2. Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses**III. Priority Claims**

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

**1. Domestic Support Obligations ("DSO")**

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

**2. Other priority claims to be paid by Trustee**

Creditor	Estimated Priority Claim
Internal Revenue Service	<b>\$1,151.00</b>
NC Department of Revenue	<b>\$374.00</b>
NC Employment Security Commission	<b>\$0.00</b>
Rockingham County Tax Department	<b>\$0.00</b>

**IV. Secured Claims****1. Real Property Secured Claims**a. ☐ None

b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
<b>Beneficial</b>	<b>Residence: House and Lot located at: 8194 NC Highway 700, Ruffin, NC value listed is tax value</b>	<b>R</b>	<b>Y</b>	<b>\$887.30</b>	<b>\$0.00</b>	<b>D</b>

**2. Personal Property Secured Claims**a. ☐ None

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
<b>Consumer Finance of Eden</b>	<b>2008 Ford Mustang GT V-8 mileage: 34,000 value listed is 90% NADA clean retail</b>	<b>\$1,605.00</b>	<b>N</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$69.14</b>	<b>5.25%</b>
<b>Springleaf Financial</b>	<b>2004 Chevrolet Tahoe 4WD LS value listed is 90% NADA clean retail</b>	<b>\$8,122.50</b>	<b>N</b>	<b>\$417.75</b>	<b>\$81.00</b>	<b>\$349.89</b>	<b>5.25%</b>
<b>Truliant Federal Credit Union</b>	<b>2004 Nissan Pathfinder 4WD SE value listed is 90% NADA clean retail</b>	<b>\$5,600.00</b>	<b>N</b>	<b>\$0.00</b>	<b>\$67.00</b>	<b>\$241.23</b>	<b>5.25%</b>
<b>Virginia Bank &amp; Trust</b>	<b>2008 Ford Mustang GT V-8 mileage: 34,000 value listed is 90% NADA clean retail</b>	<b>\$4,265.99</b>	<b>N</b>	<b>\$0.00</b>	<b>\$160.00</b>	<b>\$183.77</b>	<b>5.25%</b>

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

*To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).*

### 3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
-NONE-	

### 4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

### V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

### VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is 16 or \$11,470.00 %.

### VII. Executory Contracts/Leases

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

### VIII. Special Provisions

- a. ☐ None

- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Debtor's liquidation test requires a dividend of \$8540.00 to general unsecured creditors. However, the Debtor proposes to pay a dividend of \$11,470.00 to general unsecured creditors in good faith to retain three vehicles.

Debtor co-signed for his daughter on a debt with Nissan Acceptance. However, the Debtor's name does not appear on the title to the vehicle. He proposes that this debt be paid directly by the co-debtor.

Date: April 21, 2015

/s/ Brandi L. Richardson

**Brandi L. Richardson 38699**

Attorney for the Debtor

Address: **PO Box 840  
Reidsville, NC 27323**

Telephone: **336-348-1241**

State Bar No. **38699**

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: <b>Robert Hines Staton</b>  SS# <u>xxx-xx-9453</u> SS# _____ <div style="text-align: right;">Debtor(s)</div>	) ) ) ) ) ) ) )	<b>NOTICE TO CREDITORS AND PROPOSED PLAN</b>  Case No. _____
---	--------------------------------------	--

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox, Clerk of Court  
U.S. Bankruptcy Court MDNC  
P.O. Box 26100  
Greensboro, NC 27402**

**Anita Jo Kinlaw Troxler, Chapter 13 Trustee  
Greensboro Division  
Post Office Box 1720  
Greensboro, NC 27402-1720**

**Attorney General of the United States  
US Department of Justice  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0001**

**Beneficial  
PO Box 1231  
Brandon, FL 33509**

**Capital One  
PO Box 30285  
Salt Lake City, UT 84130**

**Chase Bank USA  
PO Box 15298  
Wilmington, DE 19850**

**Consumer Finance of Eden  
119 S. Van Buren Road  
Eden, NC 27288**

**Credit Bureau of Greensboro  
PO Box 26140  
Greensboro, NC 27402**

**Credit One Bank  
PO Box 98873  
Las Vegas, NV 89193**

**Fingerhut Credit Services  
PO Box 1250  
Saint Cloud, MN 56395**

**First BankCard  
PO Box 2557  
Omaha, NE 68103**

**Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346**

Lending Club  
71 Stevenson Street, Suite 300  
San Francisco, CA 94105

Merrick Bank  
PO Box 9201  
Old Bethpage, NY 11804

Miranda Staton  
8194 NC Highway 700  
Ruffin, NC 27326

Nationwide Bank  
PO Box 9215  
Old Bethpage, NY 11804

NC Department of Revenue  
PO Box 25000  
Raleigh, NC 27640

NC Employment Security Commission  
PO Box 26504  
Raleigh, NC 27611

Nissan Acceptance Corporation  
8900 Freeport Parkway Rear Dock  
Irving, TX 75063

Reginald S. Hinton  
Process Agent for NC DOR  
PO Box 25000  
Raleigh, NC 27640

Rockingham County Tax Department  
PO Box 68  
Wentworth, NC 27375

Springleaf Financial  
660 S. Pierce Street, Suite M  
Eden, NC 27288

Synchrony Bank Bankruptcy Department  
PO Box 965060  
Orlando, FL 32896

Truliant Federal Credit Union  
PO Box 26000  
Winston Salem, NC 27114

US Attorney Middle District of NC  
101 S. Edgeworth Street 4th Floor  
Greensboro, NC 27401

Virginia Bank & Trust  
PO Box 3447  
Danville, VA 24543

WebBank/Fingerhut Advantage  
PO Box 1250  
Saint Cloud, MN 56395-1250

Date: April 21, 2015

/s/ Brandi L. Richardson

Brandi L. Richardson 38699